

HOUSE BILL NO. 465

INTRODUCED BY B. OLSON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A COUNTY GOVERNING BODY TO DESIGNATE MORE THAN ONE POLLING PLACE FOR EACH PRECINCT; REQUIRING THE COUNTY GOVERNING BODY TO APPOINT ELECTION JUDGES FOR A PRECINCT THAT HAS MORE THAN ONE POLLING PLACE; AND AMENDING SECTIONS 13-3-105 AND 13-4-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 13-3-105, MCA, is amended to read:

"13-3-105. Designation of polling place. (1) (a) The county governing body shall designate the polling place or, as provided for in subsection (1)(b), the polling places, for each precinct no later than 30 days before a primary election.

(b) The governing body may designate two or more polling places for each precinct if the governing body determines that it would be advantageous to voters and fiscally prudent.

(c) The same polling place must be used for both the primary and general election if at all possible.

(d) Changes may be made by the governing body in designated polling places up to 10 days before an election if a designated polling place is not available.

(e) Polling places may be located outside the boundaries of a precinct.

(2) Not more than 10 days or less than 2 days before an election, the election administrator shall publish in a newspaper of general circulation in the county a statement of the locations of the precinct polling places. The election administrator shall include in the published notice the accessibility designation for each polling place according to the classification in 13-3-207. Notice may also be given as provided in 2-3-105 through 2-3-107.

(3) An election administrator may make changes in the location of a polling place if an emergency occurs 10 days or less before an election. Notice must be posted at both the old and new polling places, and other notice may be given by whatever means available.

(4) Any publicly owned building may be used as a polling place. The building must be furnished at no charge as long as no structural changes are required in order to use the building as a polling place.

(5) The exterior of the voting systems, or of the booths in which they are placed, and every part of the polling place must be in plain view of the election judges."

Section 2. Section 13-4-102, MCA, is amended to read:

"13-4-102. Manner of choosing election judges. (1) Subject to 13-4-107, election judges must be chosen from lists of qualified registered electors for each precinct in the county, submitted at least 45 days before the primary election in even-numbered years by the county central committees of the political parties eligible to nominate candidates in the primary.

(2) The list of each party may contain more names than the number of election judges to be appointed. The names of those not appointed as election judges must be given to the election administrator for use in making appointments to fill vacancies.

(3) (a) Each board of election judges must include judges representing all parties that have submitted lists as provided in subsection (1).

(b) (i) No Except as provided in subsection (3)(b)(ii), no more than the number of election judges needed to obtain a simple majority may be appointed from the list of one political party in each precinct.

(ii) If more than one polling place is designated for a precinct pursuant to 13-3-105, the county governing body shall appoint the fewest number of election judges that is necessary in each polling place to effectively carry out the functions of election judges.

(c) If any of the political parties entitled to do so ~~fail~~ fails to submit a list, the governing body shall, insofar as possible, appoint judges so that all parties eligible to participate in the primary are represented on each board.

(4) The election administrator shall make appointments to fill vacancies from the list provided for in subsection (2). If the list is insufficient or if one or more of the eligible political parties fails to submit a list, the election administrator may randomly select, either by manual drawing or by computer, sufficient qualified registered electors in the county to fill election judge vacancies in all precincts.

(5) An elector chosen to potentially serve as an election judge must be notified of selection at least 30 days before the primary election in even-numbered years. Each elector who agrees to serve as an election judge shall attend a training class conducted under 13-4-203 and shall continue to serve as provided in 13-4-103."

- END -